

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chair Gordon Vance, on February 16, 2017 at 3:00 PM, in Room 405 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Carlie Boland (D)  
Sen. Dee Brown (R)  
Sen. Edward Buttrey (R)  
Sen. Terry Gauthier (R)  
Sen. Jen Gross (D)  
Sen. JP Pomnichowski (D)  
Sen. Roger Webb (R)  
Sen. Lea Whitford (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Laura Sankey Keip, Legislative Branch  
Tia Stockton, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 196, 2/14/2017; SB 232, 2/14/2017; SB 231, 2/14/2017; SB 238, 2/14/2017

Executive Action: SB 231 - Do pass  
SB 212 - Do pass  
SB 182 - Do pass as amended

00:00:02 Chair Vance

**HEARING ON SB 232**

**Opening Statement by Sponsor:**

00:01:11 Sen. Pat Connell (R), SD 43, opened the hearing on SB 232, Provide for off-highway trail pass.

00:01:16 Sen. Brown entered the meeting.

**Proponents' Testimony:**

00:04:01 Russ Ehnes, vice president, Montana Trail Vehicle Riders Association (MTVRA)

00:06:59 Mike Jeffords, Montana Trail Vehicle Riders Association (MTVRA)

00:11:38 Peggy Trenk, Treasure State Resource Association (TSRA)

00:12:34 Roger Hagan, Montana Trail Vehicle Riders Association (MTVRA)

[EXHIBIT\(his34a01\)](#)

[EXHIBIT\(his34a02\)](#)

00:15:21 Sen. Pomnichowski entered the meeting.

00:15:50 Bob Walker, Montana Trails Recreation Parks Association (MTRPA)

[EXHIBIT\(his34a03\)](#)

[EXHIBIT\(his34a04\)](#)

00:19:52 Wilson Ilgenfritz, Citizens for Balanced Use (CBU)

**Opponents' Testimony:** None

**Informational Testimony:**

00:20:44 Tom Reilly, Department of Fish, Wildlife and Parks (FWP)

**Questions from Committee Members and Responses:**

00:21:16 Sen. Pomnichowski

00:21:38 Mr. Reilly, FWP

00:22:25 Sen. Pomnichowski

00:22:56 Mr. Reilly

00:23:29 Sen. Pomnichowski

00:23:57 Mr. Reilly

00:24:29 Sen. Brown

00:25:06 Mr. Reilly

00:25:36 Sen. Brown

00:25:52 Mr. Reilly

00:26:35 Sen. Brown

00:27:19 Mr. Walker, MTRPA

00:27:58 Sen. Brown

00:28:36 Sen. Connell

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

February 16, 2017

PAGE 3 of 8

00:29:22 Sen. Buttrey  
00:29:52 Mr. Reilly  
  
00:30:04 Sen. Brown left the meeting.

00:30:12 Sen. Buttrey  
00:30:25 Mr. Reilly  
00:30:34 Sen. Buttrey  
00:30:53 Sen. Connell  
00:31:02 Sen. Buttrey  
00:31:13 Sen. Connell  
00:31:26 Sen. Gauthier  
00:31:46 Sen. Connell  
00:32:16 Sen. Gauthier  
00:32:27 Sen. Connell  
00:32:37 Sen. Buttrey  
00:32:59 Mr. Walker  
00:33:07 Sen. Gauthier  
00:33:24 Mr. Walker  
00:33:59 Sen. Gauthier  
00:34:06 Mr. Walker  
00:34:27 Sen. Gauthier  
00:35:11 Sen. Connell  
00:37:20 Sen. Boland  
00:37:51 Sen. Connell  
00:39:26 Sen. Webb  
00:39:47 Sen. Connell  
00:40:08 Chair Vance  
00:40:26 Sen. Webb  
00:40:33 Chair Vance  
00:40:45 Mr. Hagan, MTVRA  
00:42:06 Sen. Webb  
00:42:24 Mr. Hagan  
00:43:07 Sen. Buttrey  
00:43:35 Mr. Hagan  
00:43:39 Sen. Buttrey  
00:43:46 Mr. Hagan  
00:43:49 Sen. Gauthier  
00:44:34 Mr. Walker

**Closing by Sponsor:**

00:45:00 Sen. Connell  
  
00:46:23 Chair Vance

**HEARING ON SB 231**

**Opening Statement by Sponsor:**

00:46:43 Sen. Roger Webb (R), SD 23, opened the hearing on SB 231, Establish Conrad Burns Memorial Highway.

**Proponents' Testimony:**

00:48:25 Denis Pitman, commissioner, Yellowstone County (YC)  
00:50:21 Ed Bartlett, Yellowstone County, City of Billings  
00:50:56 Aimee Grmoljez, Billings Clinic  
00:51:46 Mark Baker, representing himself

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:29 Sen. Buttrey  
00:54:58 Sen. Gross  
00:55:42 Mr. Pitman, (YC)  
00:56:49 Sen. Gross  
00:56:54 Mr. Pitman

**Closing by Sponsor:**

00:57:05 Sen. Webb  
00:57:43 Chair Vance

**EXECUTIVE ACTION ON SB 231**

00:58:02 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 231 DO PASS**. Motion carried unanimously by voice vote. Sen. D. Brown voted by proxy.

00:58:35 Chair Vance

**HEARING ON SB 238**

**Opening Statement by Sponsor:**

00:58:40 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 238, Revise speeding laws.

**EXHIBIT(his34a05)**

**Proponents' Testimony:**

01:07:36 Walter Gulick, representing himself

**Opponents' Testimony:** None

**Informational Testimony:**

01:08:49 Jim Hunter, captain, Montana Highway Patrol (MHP)

**Questions from Committee Members and Responses:**

01:09:14 Sen. Buttrey  
01:09:42 Sen. MacDonald  
01:09:52 Sen. Buttrey  
01:09:59 Sen. Gauthier  
01:10:29 Mr. Hunter, MHP  
01:10:47 Sen. Gauthier  
01:10:59 Mr. Hunter  
01:11:18 Sen. Whitford  
01:11:40 Mr. Hunter  
01:12:32 Sen. Whitford  
01:13:16 Mr. Hunter

**EXHIBIT**(his34a06)

01:15:28 Sen. Whitford  
01:15:42 Sen. Buttrey  
01:15:51 Mr. Hunter

**Closing by Sponsor:**

01:16:17 Sen. MacDonald  
01:17:28 Chair Vance

### **HEARING ON SB 196**

**Opening Statement by Sponsor:**

01:17:42 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 196, Revise transportation laws related to traffic violations in work zones.

**EXHIBIT**(his34a07)

**Proponents' Testimony:**

01:21:04 Brian Thompson, Montana Contractors Association (MCA)  
01:21:46 Eric Bryson, Montana Association of Counties (MACo)  
01:22:07 Dwane Kailey, Montana Department of Transportation (MDT)  
01:22:59 Trevor Livesay, representing himself  
01:24:54 Jim Hunter, captain, Montana Highway Patrol (MHP)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:25:53 Sen. Whitford  
 01:26:26 Sen. Fitzpatrick  
 01:26:50 Sen. Whitford  
 01:27:07 Mr. Hunter, MHP  
 01:27:25 Sen. Buttrey  
 01:28:02 Sen. Fitzpatrick  
 01:28:24 Sen. Buttrey  
 01:28:33 Sen. Fitzpatrick  
 01:28:37 Sen. Gauthier  
 01:29:00 Sen. Fitzpatrick  
 01:29:10 Sen. Gauthier  
 01:29:25 Sen. Fitzpatrick  
 01:29:53 Chair Vance  
 01:29:56 Sen. Gauthier  
 01:30:04 Mr. Hunter  
 01:30:47 Sen. Gauthier  
 01:30:51 Mr. Hunter

**Closing by Sponsor:**

01:31:01 Sen. Fitzpatrick  
 01:31:12 Chair Vance

**EXECUTIVE ACTION ON SB 212**

01:32:19 **Motion:** Sen. Fitzpatrick moved that **SB 212 DO PASS.**

**Discussion:**

01:32:32 Sen. Buttrey  
 01:33:14 Sen. Gross  
 01:34:06 Sen. Gauthier  
 01:34:30 Sen. Pomnichowski  
 01:36:00 Sen. Buttrey  
 01:36:24 Sen. Pomnichowski  
 01:36:48 Sen. Buttrey  
 01:36:55 Sen. Webb  
 01:37:25 Chair Vance  
 01:37:32 Sen. Webb  
 01:37:36 Chair Vance

01:37:49 **Vote:** Motion carried 8-2 by roll call vote with Sen. Buttrey and Sen. R. Webb voting no. Sen. D. Brown voted by proxy.

**EXECUTIVE ACTION ON SB 182**

01:38:32     **Motion:** Sen. Fitzpatrick moved that **SB 182 DO PASS.**

01:38:49     **.Motion:** Sen. Fitzpatrick moved that **SB 182 BE AMENDED.**  
**EXHIBIT**(his34a08)

**Discussion:**

01:38:56     Chair Vance

01:39:20     Dwane Kailey, Montana Department of Transportation (MDT)

01:41:29     Chair Vance

01:41:40     Mr. Kailey, MDT

01:41:58     Chair Vance

01:42:08     **Vote:** Motion carried unanimously by voice vote. Sen. D. Brown voted by proxy.

01:42:28     **Motion/Vote:** Sen. Fitzpatrick moved that **SB 182 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote. Sen. D. Brown voted by proxy.

01:43:06     Chair Vance

**ADJOURNMENT**

Adjournment: 4:44 PM

---

Tia Stockton, Secretary

ts

**Additional Documents**

Additional Documents:

**EXHIBIT**([his34aad.pdf](#))